

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

VICTORIA T. MCPHATTER; ALEXIS M. )  
SCHOENTHAL; and HUGH Q. SMITH, on )  
behalf of themselves and others )  
similarly situated, including but ) CIVIL NO. 1:05CV00027  
not limited to: JAMES MICHAEL )  
MCSWAIN; DEBORAH M. MICHALIC; )  
SHARON ALESIA MILLER; BARBARA P. )  
MOORE; SHIRLEY J. MOORE; JOHN )  
DENNIS MORGAN; BETTIE H. NOBLITT; )  
DIANE WILSON SHYLTLE; LINDA T. )  
SMART; CAROL JEAN NASH SPENCER; )  
MARY STATEN SPEARS; THELMA L. )  
HARDIN; MARSHA ROLLINS MCKEE; )  
PATRICIA ANN HANNA; REBECCA M. )  
HOPKINS; BARBARA R. HOUSTON; )  
CORA L. HUDSON; MARY L. HUNTLEY; )  
VIVIAN B. REICHART; LAVONNE M. )  
THOMPSON; ALVIN LEWIS UNDERDOWN; )  
MARION C. ALEXANDER; KAYE GAMBLE )  
FALLS, and Husband, ALBERT HERMAN )  
FALLS; NANCY B. FOX; WILLIAM ALONZO)  
GHENT; BETTY B. GILBERT; J. W. )  
KAYLOR; JANICE B. CARTER; LINDA B. )  
CHITWOOD; CAROLYN B. EVANS; )  
WALDENE C. BERRY; ELAINE D. BLACK; )  
BRENDA Y. BURGIN; MYRA G. GRAHAM; )  
LINDA D. GRIFFIN; DENNIS R. )  
HAMRICK; FAYE J. ERTZBERGER; )  
JOHNNY C. PATTERSON; BRENDA M. )  
PERRY; DELOSIE P. WALKER; JUDITH S.)  
LYTLE; ALLISON GRANT; LUCINDA B. )  
GARDIN; VERA P. CLIFTON; DEBORAH )  
DAVIS; KATHRYN WHITE; LYNDY S. )  
MINTZ; GABRIEL F. EBERLE; CAROLYN )  
FRANCK; JACQUELINE BLACK; )  
PHYLLIS J. JONES; JOYCE F. )  
PRESSLEY; NELLIE J. TYSON; and )  
SANDRA A. MOORE; BRENDA L. MUNDAY, )  
Plaintiffs, )

v. )  
 )  
JEFFREY LIN SWEITZER; MATTHEW JAMES)  
MULLER, SR.; SAMUEL BOYCE RANKIN; )  
RANDY MATZ; JOSEPH M. ZENTNER, JR.; )  
AND OTHER DEFENDANTS TO BE NAMED; )  
and SALOMON, SMITH, BARNEY, INC., )  
 )  
Defendants. )

ORDER and JUDGMENT

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Plaintiffs' motion to remand [Doc. #7] and motion for costs and expenses pursuant to 28 U.S.C. § 1447(c) are **GRANTED**, and this action is **REMANDED** to the General Court of Justice, Superior Court Division, Guilford County, North Carolina.

IT IS FURTHER ORDERED that all remaining, pending motions, which are Defendants' Motion to Dismiss [Doc. #2] (filed January 10, 2005) and Plaintiffs' Motion to Defer Consideration [Doc. #18] of Motion to Dismiss, Motion to Strike, Motion to Supplement Opposition to Motion to Dismiss, and Motion for Leave to Amend Complaint (all filed March 24, 2005), are rendered **MOOT**.

November 18, 2005

  
Frank W. Bullock, Jr.  
United States District Judge